



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329  
(916) 322-5660 • Fax (916) 322-0886

October 7, 2009

Mr. Tim McGowen

REDACTED

RE: Advisory Letter

FPPC File No. 090665; Tim McGowen; Tim McGowen for CVSAN

Dear Mr. McGowen:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act") found in Government Code Section 81000, and following. The Act requires candidates to file periodic campaign disclosure statements disclosing contributions received and expenditures made during specified periods of time.

The Enforcement Division of the Commission received a complaint alleging that you may have made expenditures on behalf of Castro Valley Sanitary District candidates Dennis Waespi and Daniel Akagi, but failed to report the making of those contributions on your campaign disclosure statements.

The Act requires that when you make an expenditure which is a contribution to another candidate, that in addition to the name of the vendor providing the service or product, you are required to report the date of the contribution, the cumulative amount of the contributions made to the candidate, the full name of the candidate and the office and district for which he or she seeks election and the jurisdiction in which the candidate is voted upon. (Section 84211(k)(5).) The Commission provides a schedule, Schedule D, on a Campaign Disclosure Statement, Form 460, specifically for this purpose.

Since we have no direct evidence to indicate that your committee made such contributions to others, we are closing our investigation on this matter. If, however, during the November 2008 election, you made in-kind contributions to other candidates, your Campaign Disclosure Statement (Form 460) must be amended to provide the information described above.

Additionally, the complainant indicates that a flyer failed to include proper sender identification. There was no evidence provided to indicate that the flyer was mailed to any person's home or business. However, be advised that if in the future you send a mass mailing, the Act's sender identification rules require that your name, street address, and city must be shown on the outside of the mailing and on at least one insert, in no less than 6-point type in a color or style that contrasts with the background. (Section 84305.)

The Commission publishes forms and manuals to facilitate compliance with the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at (916) 322-5660, Monday through Thursday, between 9:00 a.m. and 4:00 p.m. Please also visit our website at [www.fppc.ca.gov](http://www.fppc.ca.gov).

If you have questions regarding this matter, please contact me at (916) 322-8194.

Sincerely,

REDACTED

Jeannette E. Turvill  
Political Reform Consultant  
Enforcement Division

JT/jt  
cc. Mr. Tom Silva